

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NEW YORK

JAVIER HERNANDEZ, *et al.*,

Plaintiffs,

Civ. No. 02-CV-0523(S)(Sr)

v.

CLASS ACTION

MARIA GARCIA-BOTELLO
(a.k.a. "Chabela"), *et al.*,

Defendants.

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the accompanying memorandum of law, and attached Declaration of Andrea H. Brustein, Plaintiffs will hereby move this Court pursuant to Fed. R. Civ. P. 30(a)(2), on a hearing date to be set by this Court, for an Order directing that leave to take the depositions of Defendants Maria Garcia-Botello and Elias Botello, who are currently incarcerated, be granted.

PLEASE TAKE FURTHER NOTICE that responsive papers, if any, are due in accordance with Local Rule 7.1(c).

PLEASE TAKE FURTHER NOTICE that Plaintiffs intend to file and serve reply papers.

Dated: May 25, 2007

Respectfully Submitted,



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